

## CONGRESSIONAL RECORD

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## OPPOSES APPOINTMENT OF WILLIAM COLBY TO HEAD CIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. DRINAN) is recognized for 5 minutes.

Mr. DRINAN. Mr. Speaker, I would like to share with my colleagues the testimony I intend to deliver before the U.S. Senate Committee on Armed Services on Friday, July 20, 1973 at 10 a.m. in opposition to the appointment of Mr. William E. Colby as the Director of the Central Intelligence Agency:

I have come to testify against the appointment of Mr. Colby as the Director of the CIA because I have been almost compelled by the voice of my conscience to raise my voice to prevent the confirmation of a man whose activities in Vietnam and whose testimony before this Committee on July 2, 1973 indicate that almost certainly he will continue within the CIA those activities of this intelligence agency which have brought disgrace to the Federal government and to the American people.

On Sunday June 1, 1969 I and seven other Americans talked with William E. Colby in Saigon from 4:30 p.m. to 6:45 p.m. I was in South Vietnam as a member of the privately financed U.S. Study Team on Religious and Political Freedom from May 29 to June 10, 1969. The extensive report of that study team is printed in full in the Congressional Record of June 17, 1969 on page E5018.

When I read that Mr. William Colby had been appointed as the Director of the CIA I reviewed very carefully the notes which I took during and after the two hours that I and my associates spent with Mr. Colby more than four years ago. Mr. Colby at that time was, or course, in charge of the Phoenix Program or CORDS. The precise purpose of the study team of which I was a member was to determine the number of political prisoners and the extent to which, if any, the United States was contributing to the suppression of political freedom in South Vietnam.

Mr. Colby did his best to prevent us from acquiring any hard information from him or from his associates. For the first 26 minutes of the interview Mr. Colby explained several obvious matters about South Vietnam all of which were thoroughly known to the eight members of the U.S. study team. Mr. Colby also went out of his way to explain that President Johnson had given him the personal rank of Ambassador when he left the CIA and agreed to run the Phoenix Program for the State Department.

At no time did Mr. Colby even concede the possibility that the pacification program was assisting the government of President Thieu to put in jail all of the political activists who alone could form a political party or a political coalition capable of running a candidate in a genuine election against President Thieu.

Mr. Colby conceded that the number of political prisoners increased as the pacification program became more widespread in South Vietnam. Mr. Colby also conceded that many of the political prisoners did not receive a trial and that many of them remained for months and years in prison merely because of the suspicion of some local official. Mr. Colby stated "I know brutality exists" and added without much proof that "we try to do something about it." He never made clear however what he tried to do about the widespread existence of brutality in prisons—a phenomenon which I and my associates heard everywhere in South Vietnam.

Mr. Colby offered no assistance whatsoever and in fact professed total ignorance about the "tiger cages" in the prison on Con Son Island. We were unable to discover these dungeons which were eventually discovered a year later by a U.S. Congressional team, mem-

bers of which almost stumbled by accident upon the existence of these hideous dungeons.

In fact Mr. Colby indicated that he knew little about the conditions in the prisons most of which were built with American money and designed by American engineers. I and the other members of the U.S. Study Team of Political Freedom in South Vietnam felt indignation at the way that Mr. Colby evaded our questions and out talked us as a form of "brush off".

I did not learn until 1971 that during Mr. Colby's period with the pacification program 20,587 South Vietnamese people were killed! During that same period (1968 to May 1971) 28,978 persons were captured or jailed.

One had the impression of Mr. Colby on that Sunday afternoon in June, 1969 of an individual who would do what he was told, carry out orders as they were given and always seek by misleading or deceptive statements to deny that anything was wrong in the program which he was implementing.

This impression was deepened by a conversation which I had with an American prison official, present during our entire interview with Mr. Colby, who spoke to me as I was leaving Mr. Colby's office. This individual who had come to Saigon from the United States because he was an expert in building prisons had denied in the presence of all of us that there was any brutality against the political prisoners that were literally rounded up by the Phoenix program and herded into prisons. He confessed privately to me, however, as I was leaving that he knew of extensive brutality and he hoped that the U.S. study team would expose it to the entire world. He concluded by stating that he would deny what he had said if I ever attributed it to him!

On the basis of what we saw in South Vietnam the study team recommended that the Nixon Administration and the Congress have a complete investigation of the extent to which American officials in the pacification program have turned over innocent South Vietnamese citizens to military field tribunals, the equivalent of a kangaroo court, and thus have contributed to the disappearance of all political opposition to President Thieu.

The study team predicted that the total number of political prisoners would increase as long as the pacification program continued. This has of course happened so that now there are some 200,000 political prisoners in South Vietnam—a situation which makes it virtually impossible for any political opposition to arise against President Thieu.

Mr. Colby seemed incapable of comprehending the fact that the United States government and particularly the pacification program was making a mockery of the constitution of South Vietnam. He kept insisting that war conditions existed in South Vietnam and that therefore the violations were understandable. Mr. Colby seemed actually unwilling to listen when John Pemberton, the Executive Director of the American Civil Liberties Union and Methodist Bishop James Armstrong, members of the team, pointed out to him that the South Vietnamese Constitution provides:

"Any restriction upon the basic rights of the citizens must be prescribed by law and the time and place within which such a restriction is enforced must be clearly specified. In any event the essence of all basic freedoms cannot be violated."

We found of course other American officials in South Vietnam who were just as insensitive to the complicity of the United States in lawlessness as Mr. Colby appeared to be.

I feel obliged by my convictions and by my conscience to state that a man who displayed the attitudes which Mr. Colby did when he operated the Phoenix program should not be confirmed by the Congress of the United States to be the Director of the CIA.

I want also to raise other questions about the unsatisfactory nature of the testimony which Mr. Colby gave on July 2, 1973 before this committee. I also want to state my shock and indignation that one hour and 40 minutes has been the total time spent, with one Senator present, in hearings on the crucial question of who will be the next Director of the CIA. This is the agency which has brought disgrace to itself by its involvement with the ITT in Chile, shock and anger to everyone by its involvement in the bugging of the office of the psychiatrist of Dr. Daniel Ellsberg and universal horror by its involvement in the Watergate scandal.

I also want to express my protest that the Senate Committee on Armed Services has given a totally inadequate explanation of why it held the one hearing on Mr. Colby on July 2 when the Congress was not in session. The only explanation is the words of the chairman who opened the hearing by stating: "We regret that most of the members are absent because of the recess but in as much as Director Schlesinger has now become Secretary of Defense we thought it would be advisable to have Mr. Colby here at the earliest

opportunity in order to consider his confirmation as the new Director of the CIA." I personally would hope that the chairman would send a personal letter to every single member of the House and of the Senate inviting them to testify if they so desire about the nature and the future of the CIA.

The chairman of this committee also stated in his opening remarks that the hearing on Mr. Colby will "also review a number of policies relating to the CIA itself". The chairman went on to note that "we are going to take this opportunity to try to get a better understanding for ourselves and for the people as to just what the CIA is and what it is supposed to do."

I want to state, with all due respect, that it has been the Senate Armed Services Committee which, more than any other agency in Congress, has prevented the Congress and the people of this country from knowing anything about the CIA. In the last two decades more than 200 bills aimed at making the CIA accountable to Congress have been introduced. None has been enacted. The most recent attempt to make the CIA accountable came on July 17, 1972 when the Senate Foreign Relations Committee reported out a bill requiring the CIA to submit regular reports to Congressional committees. That bill died in the Senate Armed Services Committee.

In all candor, Mr. Chairman, the record of the Senate with regard to oversight of the CIA has been disgraceful. On November 23, 1971 Senator John Stennis and Senator Allen Ellender—then the Chairmen of the Armed Services and the Appropriations Committee as well as of their CIA oversight Subcommittee, said that they knew nothing about the CIA-financed war in Laos, surely CIA's biggest operation (Congressional Record page S15521-15530).

I hope therefore that these hearings which, as the chairman has noted, are designed to bring about a "better understanding for ourselves and for the people" (and I underline for the people) will remain open as long as any member of the Congress desires to address himself to this question.

I congratulate the chairman for having an open hearing for the first time on the confirmation of a director since the CIA was established in 1947.

I find the testimony of Mr. Colby very ambiguous, equivocal and unsatisfactory. His justification of the Phoenix program added little to the unsatisfactory evidence which he gave on that matter before the Senate and House Congressional committees in 1970 and 1971. He made absolutely no response then or on July 2, 1973 to the vehement criticisms made of the basic injustices in that program of which he was practically the architect.

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